

1                                   **STATE OF IOWA**  
2                                   **BOARD OF EDUCATIONAL EXAMINERS**  
3                           **Grimes State Office Building – 400 East 14<sup>th</sup> Street**  
4                                   **Des Moines, Iowa 50319-0147**

5                                   **AMENDED**

6                                   **Minutes**

7  
8                                   **May 1, 2008**  
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10

11   The Board of Educational Examiners held its monthly meeting on May 1, 2008.  
12   Board Chair, Judy Jeffrey, called the meeting to order. Members attending were  
13   John Aboud, Ying Ying Chen, Brad Dirks, Tammy Duehr, Judy Jeffrey, Merle  
14   Johnson, Thomas Paulsen, Greg Robinson, and Jean Seeland. Also in attendance  
15   were Dr. George Maurer, Executive Director of the Board, and Christie Scase,  
16   Assistant Attorney General. Jeffrey Henderson and Bev Smith were unable to  
17   attend the meeting.

18  
19   Merle Johnson moved, with a second by Jean Seeland, to approve the agenda.

20   **MOTION CARRIED UNANIMOUSLY.**  
21

22   Merle Johnson moved, with a second by Tom Paulsen, to approve the consent  
23   agenda consisting of the minutes of April 04, 2008, board meeting; board calendar  
24   for FY 09; and operating guidelines-revised. **MOTION CARRIED UNANIMOUSLY.**  
25

26   Ying Ying Chen moved, with a second by Tammy Duehr, that the Board go into  
27   closed session for the purposes of discussing whether to initiate licensee  
28   disciplinary proceedings and discussing the decision to be rendered in a contested  
29   case, pursuant to Iowa Code sections 21.5(1)(d) and 21.5(1)(f). **MOTION CARRIED**  
30   **UNANIMOUSLY.**  
31

32   Jean Seeland moved, with a second by Ying Ying Chen, that in **case number 08-**  
33   **05**, the Board find that, although one or more of the allegations in the complaint

1 may be substantiated by the witnesses interviewed in the course of the  
2 investigation [and/or] the documents gathered in the course of the investigation,  
3 and the allegations may constitute a technical violation of the board's statute or  
4 administrative rules; the evidence before the board indicates that adequate steps  
5 have been taken to remedy the violation and to ensure that incidents of a similar  
6 nature do not occur in the future. Taking into account these circumstances, and  
7 the Board's mission to act upon those complaints which involve a threat to the  
8 health and safety of students and the public, the Board will not pursue formal  
9 disciplinary action in this matter. Roll call vote: Aboud – yes; Chen – yes; Dirks –  
10 yes; Duehr – yes; Jeffrey – yes; Johnson – yes; Paulsen – yes; Robinson – yes; and  
11 Seeland – yes. **MOTION CARRIED UNANIMOUSLY.**

12  
13 Ying Ying Chen moved, with a second by Tammy Duehr, that in **case number 08-**  
14 **06**, the Board find that the allegations primarily involve employment or personnel  
15 issues, which are generally better resolved through direct interaction between the  
16 licensee and the employer or through personnel or grievance procedures. The  
17 investigation in this matter did not establish violations which appear to rise to the  
18 level or unethical, discriminatory or harassing conduct necessary to support  
19 disciplinary action by the Board. Taking into account these circumstances, and the  
20 Board's mission to act upon those complaints which involve a threat to the health  
21 and safety of students and the public, the Board will not pursue formal disciplinary  
22 action in this matter. Roll call vote: Aboud – yes; Chen – yes; Dirks – yes; Duehr –  
23 yes; Jeffrey – yes; Johnson – yes; Paulsen – yes; Robinson – yes; and Seeland – yes.  
24 **MOTION CARRIED UNANIMOUSLY.**

25  
26 Tammy Duehr moved, with a second by Jean Seeland, that in **case number 08-07**,  
27 the Board find that the allegations primarily involve employment or personnel  
28 issues, which are generally better resolved through direct interaction between the  
29 licensee and the employer or through personnel or grievance procedures. The  
30 investigation in this matter did not establish violations which appear to rise to the  
31 level or unethical, discriminatory or harassing conduct necessary to support  
32 disciplinary action by the Board. Taking into account these circumstances, and the  
33 Board's mission to act upon those complaints which involve a threat to the health

1 and safety of students and the public, the Board will not pursue formal disciplinary  
2 action in this matter. Roll call vote: Aboud – yes; Chen – yes; Dirks – yes; Duehr –  
3 yes; Jeffrey – yes; Johnson – yes; Paulsen – yes; Robinson – yes; and Seeland – yes.

4 **MOTION CARRIED UNANIMOUSLY.**

5  
6 Ying Ying Chen moved, with a second by Tammy Duehr, that in **case number 08-**  
7 **08**, In the Matter of Gavin Hjerleid, the Board find probable cause to establish a  
8 violation of the following provisions of the Code of Professional Conduct and Ethics,  
9 282 IAC 25.3(1)(e)(1), 25.3(6)(c), (d), and order this case set for hearing. Roll call  
10 vote: Aboud – yes; Chen – yes; Dirks – yes; Duehr – yes; Jeffrey – yes; Johnson –  
11 yes; Paulsen – yes; Robinson – yes; and Seeland – yes. **MOTION CARRIED**

12 **UNANIMOUSLY.**

13  
14 Jean Seeland moved, with a second by Tammy Duehr, that in **case number 08-11**,  
15 In the Matter of Nicole Guerrero, the Board find probable cause to establish a  
16 violation of the following provisions of the Code of Professional Conduct and Ethics,  
17 282 IAC 25.3(1)(e)(4), and order this case set for hearing. Roll call vote: Aboud –  
18 yes; Chen – yes; Dirks – yes; Duehr – yes; Jeffrey – yes; Johnson – yes; Paulsen –  
19 yes; Robinson – yes; and Seeland – yes. **MOTION CARRIED UNANIMOUSLY.**

20  
21 Tammy Duehr moved, with a second by Jean Seeland, that in **case number 08-18**,  
22 In the Matter of Troy Meinders, the Board accepts the waiver of hearing and  
23 voluntary surrender and that the Board issue an order permanently revoking the  
24 license with no possibility of reinstatement and report the revocation to NASDTEC.  
25 Roll call vote: Aboud – yes; Chen – yes; Dirks – yes; Duehr – yes; Jeffrey – yes;  
26 Johnson – yes; Paulsen – yes; Robinson – yes; and Seeland – yes. **MOTION**  
27 **CARRIED UNANIMOUSLY.**

28  
29 Ying Ying Chen moved, with a second by Tammy Duehr, that in **case number 07-**  
30 **20**, In the Matter of Alan Andreasen, the Board accepts the Respondent's waiver of  
31 hearing and voluntary surrender and that the Board issue an order permanently  
32 revoking the Respondent's license with no possibility of reinstatement. Roll call

1 vote: Aboud – yes; Chen – yes; Dirks – yes; Duehr – yes; Jeffrey – yes; Johnson –  
2 yes; Paulsen – yes; Robinson – yes; and Seeland – yes. **MOTION CARRIED**  
3 **UNANIMOUSLY.**

4  
5 Jean Seeland moved, with a second by Ying Ying Chen, that in **cases 07-42 and**  
6 **07-43**, Board extend the 180-day deadline for issuance of the final decision, due to  
7 the need for additional time to conduct a hearing, prepare a proposed decision, and  
8 review the proposed decision by the Board. Roll call vote: Aboud – yes; Chen – yes;  
9 Dirks – yes; Duehr – yes; Jeffrey – yes; Johnson – yes; Paulsen – yes; Robinson –  
10 yes; and Seeland – yes. **MOTION CARRIED UNANIMOUSLY.**

11  
12 Board Reports:

13 There were no board reports.

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15 Public Comment:

16 There were no public comments.

17  
18 Executive Director's Report:

19 Executive Director, Dr. George Maurer, presented the executive director's report.

20  
21 The legislative session is over. Our pre-filed bills were passed and signed by the  
22 governor. The \$300,000 appropriation that was to be transferred out of our budget  
23 was passed but has not yet been signed by the governor. June 13 we will have  
24 breakfast with the governor before our board meeting.

25  
26 The fingerprint scanning equipment has been ordered. We will be traveling to  
27 educational institutions to scan fingerprints as well as scanning fingerprints in our  
28 office. The machine will tell us immediately if the fingerprints are accepted. Cards  
29 will still be available for those individuals wanting to use the cards rather than the  
30 electronic scanning.

31  
32 Rules:

33 Merle Johnson moved, with a second by Greg Robinson, to adopt the changes to

Chapter 15.11(2) regarding School Psychologist. **MOTION CARRIED  
UNANIMOUSLY.**

Greg Robinson moved, with a second by Merle Johnson, to file under Notice of Intended Action, the proposed changes to Chapter 14.142(3)(c), with the elimination of the word “districtwide”, regarding Superintendent/AEA administrator. **MOTION CARRIED UNANIMOUSLY.**

The board tabled the proposed changes to Chapter 14.114 regarding Requirements for an administrator’s license to allow for additional changes to be made and the rule will be brought back to the June meeting for noticing.

Items for Discussion:

The board discussed emergency suspension of a license. The board does have a rule in place which would allow for the emergency suspension of a license if needed.

The proposed changes to Chapter 14.106 regarding Adding endorsements to licenses were discussed and will be brought back to the June meeting for noticing with a change.

The proposed changes to Chapter 15.1(2) regarding Special Education teaching endorsements were discussed and will be brought back to the June meeting for noticing with changes.

The proposed changes to Chapter 14.120(1) regarding Exchange Licenses were discussed and will be brought back to the June meeting for noticing.

Petitions for Waiver:

Greg Robinson moved, with a second by John Aboud, that in **PFW 08-14**, Marjorie Lane, the Board grant the Petition for Waiver. **MOTION CARRIED UNANIMOUSLY.**

1 Brad Dirks moved, with a second by Merle Johnson, that in **PFW 08-15**, Jennifer  
2 Jungers, the Board table the petition until additional information is obtained.

3 **MOTION CARRIED UNANIMOUSLY.**

4  
5 Reports:

6 Susan Fischer attended two conferences regarding alternative certification and  
7 presented a report regarding the Alternative Pathways Conference. The conferences  
8 were presented by The National Center for Alternative Certification and the  
9 Alternative Certification Center. Their web sites are [www.teach-now.org](http://www.teach-now.org) and  
10 [www.alternativecertification.org](http://www.alternativecertification.org).

11  
12 The proposed changes to Chapter 14.103(2) regarding Applicants from recognized  
13 non-Iowa institutions were discussed and will be brought back to the June meeting  
14 for additional discussion.

15  
16 Susan Fischer presented the Teacher Leader Committee Report.

17  
18 Technology options for the board were discussed. The Board directed Dr. Maurer to  
19 pursue purchase of laptop computers for the Board members wanting to receive the  
20 meeting information electronically.

21  
22 There being no further business, Judy Jeffrey adjourned the meeting.